

BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 92-032-C - ORDER NO. 94-4 *lc*

JANUARY 3, 1994

IN RE: Trans National Communications, Inc. D/B/A ) ORDER  
Members Long Distance - Request by Frank ) DENYING  
Ellerbe for Permission to Correct the ) PETITION  
Company's Original Tariff. )

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Petition for Permission to Correct Tariff filed by Trans National Communications, Inc. (Trans National or the Company). Trans National alleges that it was certified by this Commission as a reseller of telecommunication services by Order No. 92-582, issued on July 23, 1992 in Docket No. 92-032-C. Trans National also alleges that in that Order, the Commission adopted a rate design for Trans National which included maximum rate levels for each tariff charge, which was consistent with the Commission's practice of permitting rate structures incorporating maximum rate levels with the flexibility for adjustment below the maximum.

In connection with its adoption of a maximum rate structure for Trans National, the Commission ordered Trans National to file a tariff reflecting its maximum rates as well as its current price list. According to Trans National's Petition, on August 25, 1992, Trans National filed its telecommunications services tariff, but failed to file both maximum rates and a current price list.

Instead, the Company filed a tariff containing one set of rates, which were in fact its current prices for its services. The tariff filing was accepted by the Commission. Trans National states that it did not intend for the rates it filed on August 25, 1992 to be its maximum rates. Trans National, therefore, now seeks permission to file a revised and corrected tariff which will contain a set of maximum rates, which mirror those of the dominant carrier, AT&T. Trans National also seeks to file a current price list with rates under those contained in its maximum rates.

Trans National submits that its Petition is in the best interest of the public. The Company alleges that because of its error in filing its tariff, it is now at a significant competitive disadvantage because of its inability to change its rates in the fashion that its competitors change their rates. This disadvantage, according to Trans National, makes it difficult for the Company to bring to the public in South Carolina the benefit of the services which this Commission saw fit to permit it to provide.

The Commission has considered this matter and believes that it must deny the Petition for the present time. Approximately one and a half years have expired since the date of Commission Order No. 92-582, which originally approved this reseller's authority. The Commission, therefore, believes that it is the better practice at this time to fully examine the Company's situation, and to have it justify why the maximum rates of the dominant carrier, i.e. AT&T, are appropriate for maximum rates for Trans National as well. The Commission therefore holds that a hearing shall be held at such time as may be set by Staff in order to examine further this

matter. The Commission reserves the right to re-examine its position on the Petition after the hearing.

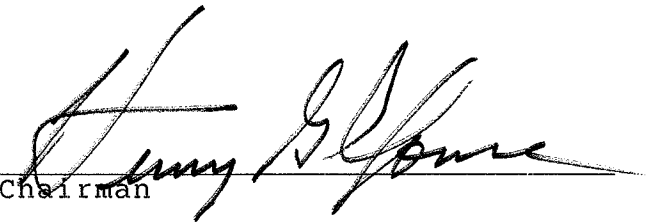
IT IS THEREFORE ORDERED THAT:

1. The Petition for Permission to Correct Tariff is denied for the present time.

2. A hearing shall be held to examine this matter further.

3. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Executive Director

(SEAL)